

Senate Bill No. 453

CHAPTER 497

An act to amend Section 30063 of the Government Code, and to amend Sections 14171, 14173, and 14175 of, to amend and renumber Section 14174.3 of, and to repeal Sections 14172 and 14174 of, the Penal Code, relating to local law enforcement, and declaring the urgency thereof, to take effect immediately.

[Approved by Governor October 4, 2005. Filed with
Secretary of State October 4, 2005.]

LEGISLATIVE COUNSEL'S DIGEST

SB 453, Poochigian. Local law enforcement.

(1) Existing law establishes the Supplemental Law Enforcement Services Fund, specifies the purposes for which money in the fund may be expended, and requires by March 1 of each year, that the Legislative Analyst's Office report to the Legislature on the type of expenditures made by local law enforcement agencies in the previous fiscal year, and the effects of those expenditures on law enforcement and public safety, as specified.

This bill would eliminate the reporting requirement.

(2) Existing law establishes the Central Valley Rural Crime Prevention Program, a program addressing agricultural and rural based crime in specified counties. Existing law provides those provisions will become inoperative as of July 1, 2005, and be repealed as of January 1, 2006.

This bill would extend the operative date of those provisions to July 1, 2009, and the repeal date to January 1, 2010.

Existing law requires a cost-benefit analysis be prepared by each county participating in the program, as specified, and submitted to the Legislative Analyst by June 30, 2001. Existing law also requires the Legislative Analyst to conduct a cost-benefit analysis of the program, to analyze information submitted by each county, and to report to the Legislature by December 31, 2001.

This bill would repeal those provisions.

Existing law provides an appropriation of \$3,541,000 in the Budget Act of 1999 to the specified counties to fund the program.

This bill would express the intent of the Legislature regarding apportionment of any funds appropriated for the program to the specified counties.

Existing law provides an appropriation of \$100,000 in the Budget Act of 1999 for the Legislative Analyst for costs of preparing an evaluation of the Central Valley Rural Crime Prevention Program for purposes of the cost-benefit analysis of the report due to the Legislature by December 31, 2001, as specified.

This bill would repeal those provisions.

Existing law conditions appropriation of funds to the specified counties upon compliance with certain uniform procedures for participating in the program.

This bill would renumber the code section containing these provisions.

This bill would make other technical changes.

(3) This bill would declare that it is to take effect immediately as an urgency statute.

The people of the State of California do enact as follows:

SECTION 1. Section 30063 of the Government Code is amended to read:

30063. (a) The Supplemental Law Enforcement Services Fund (SLESF) in each county or city is to be expended exclusively as required by this chapter. Moneys in that fund shall not be transferred to, or intermingled with, the moneys in any other fund in the county or city treasury, except that moneys may be transferred from the SLESF to the county's or city's general fund to the extent necessary to facilitate the appropriation and expenditure of those transferred moneys in the manner required by this chapter.

(b) Moneys in an SLESF may only be invested in safe and conservative investments in accordance with those standards of prudent investment applicable to the investment of trust moneys. The treasurer of the county and each city shall provide a monthly SLESF investment report to either the police chief or the county sheriff and district attorney, as applicable.

(c) Each year, at least 30 days prior to the date of the duly noticed public hearing required pursuant to paragraph (1) of subdivision (c) of Section 30061, the county auditor and city treasurer shall detail and summarize allocations from the county's or city's SLESF, as applicable, in a written, public report filed with the Supplemental Law Enforcement Oversight Committee (SLEOC), the county board of supervisors, or the city council, as applicable, for the entirety of the immediately preceding fiscal year, and the county sheriff or police chief, as applicable.

(d) A summary of the annual reports required in subdivision (c) shall be submitted in a standardized format to be developed by the Controller, in conjunction with the California District Attorney's Association, California Police Chief's Association, California State Sheriff's Association, California Peace Officer's Association, California County Auditor's Association, and California Municipal Treasurer's Association, by each SLEOC to the Controller on or before October 15, 2001, and each year thereafter. The Controller shall make a copy of the summarized reports available to the Governor, the Legislature, and the Legislative Analyst's Office.

(e) A county, a city, or a city and county that fails to submit the data required pursuant to subdivision (d) of this section or to report as required

pursuant to clause (i) of subparagraph (E) of paragraph (4) of subdivision (b) of Section 30061 shall not continue to expend funds allocated pursuant to subdivision (b) of Section 30061 or interest earned pursuant to subdivision (b) of this section until that data and that report are submitted as required by this chapter.

(f) Notwithstanding subdivision (e), if the SLEOC fails to transmit the data to the Controller required pursuant to subdivision (d), the local law enforcement agency may submit its expenditure data directly to the Controller no later than 15 days after the date specified in subdivision (d). If the local law enforcement agency has complied with other requirements in this chapter, it may continue to expend funds allocated and interest earned pursuant to this chapter.

SEC. 2. Section 14171 of the Penal Code is amended to read:

14171. (a) Each of the Counties of Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare may develop within its respective jurisdiction a Central Valley Rural Crime Prevention Program, which shall be administered by the county district attorney's office of each respective county under a joint powers agreement with the corresponding county sheriff's office entered into pursuant to Chapter 5 (commencing with Section 6500) of Division 7 of Title 1 of the Government Code.

(b) The parties to each agreement shall form a regional task force that shall be known as the Central Valley Rural Crime Task Force, that includes the respective county office of the county agricultural commissioner, the county district attorney, the county sheriff, and interested property owner groups or associations. The task force shall be an interactive team working together to develop crime prevention, problem solving, and crime control techniques, to encourage timely reporting of crimes, and to evaluate the results of these activities. The task force shall operate from a joint facility in order to facilitate investigative coordination. The task force shall also consult with experts from the United States military, the California Military Department, the Department of Justice, other law enforcement entities, and various other state and private organizations as deemed necessary to maximize the effectiveness of this program. Media and community support shall be solicited to promote this program. Each of the designated counties shall adopt rules and regulations for the implementation and administration of this program.

(1) In order to receive funds for this program, each designated county shall agree to participate in a regional task force, to be known as the Central Valley Rural Crime Task Force, and shall appoint a representative to that task force.

(2) The Central Valley Rural Crime Task Force shall develop rural crime prevention programs containing a system for reporting rural crimes that enables the swift recovery of stolen goods and the apprehension of criminal suspects for prosecution. The task force shall develop computer software and use communication technology to implement the reporting system, although the task force is not limited to the use of these means to achieve the stated goals.

(3) The Central Valley Rural Crime Task Force shall develop a uniform procedure for all participating counties to collect, and each participating county shall collect, data on agricultural crimes. The task force shall also establish a central database for the collection and maintenance of data on agricultural crimes and designate one participating county to maintain the database. State funds the counties receive to operate their rural crime prevention programs may be used to implement the requirements of this paragraph. This paragraph does not prohibit counties from using their own funds to implement the paragraph's provisions, however, it is the Legislature's intent that this paragraph shall not be construed as creating a state-mandated local program.

(c) The staff for each program shall consist of the personnel designated by the district attorney and sheriff for each county in accordance with the joint powers agreement.

SEC. 3. Section 14172 of the Penal Code is repealed.

SEC. 4. Section 14173 of the Penal Code is amended to read:

14173. It is the intent of the Legislature that any funds appropriated to the Central Valley Rural Crime Prevention Program be distributed according to the following schedule:

Fresno	23%
Kern	17%
Kings	8.5%
Madera	5.5%
Merced	8.5%
San Joaquin	8.5%
Stanislaus	8.5%
Tulare	20.5%

SEC. 5. Section 14174 of the Penal Code is repealed.

SEC. 6. Section 14174.3 of the Penal Code is amended and renumbered to read:

14174. Funds appropriated for the purposes of this title shall be allocated based on the counties' compliance with paragraph (3) of subdivision (b) of Section 14171.

SEC. 7. Section 14175 of the Penal Code is amended to read:

14175. This title shall become inoperative on July 1, 2009, and is repealed as of January 1, 2010, unless a later enacted statute, which is enacted before January 1, 2010, deletes or extends that date.

SEC. 8. This act is an urgency statute necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting the necessity are:

In order to assure the continued operation of the program and promote agricultural and rural crime prevention, it is necessary that is act take effect immediately.

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